

2013 DRAFTING REQUEST

Bill

Received: **2/1/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Janet Bewley (608) 266-7690** By/Representing: **Lori**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Rep.Bewley@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Special registration plates for motor vehicles held by garages and repair shops

Instructions:

Wants to create a license plate like the dealer plates that allows a repair shop to take an unregistered vehicle or vehicle with expired registration for a test drive

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 2/12/2013			_____			
/P1	agary 3/11/2013	scalvin 2/26/2013	rschluet 2/26/2013	_____	sbasford 2/26/2013		State
/1	agary	jdye	jmurphy	_____	sbasford		State

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	3/21/2013	3/11/2013	3/22/2013	_____	3/11/2013		
/2		scalvin		_____	srose	srose	State
		3/21/2013		_____	3/22/2013	4/9/2013	

FE Sent For:

at
intro

<END>

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/1		jdye	jmurphy	_____	sbasford		State
		12 sac 03/21/2013	jm 3/21	self			

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/P1		scalvin 2/26/2013	rschlue 2/26/2013	_____	sbasford 2/26/2013		State
FE Sent For:			<i>Jon</i> <i>3/11</i>	<i>self</i>			

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1?	agary	PI sac 02/26/2013		_____ _____			

FE Sent For:

<END>



in
2/12



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *garage cat*; **relating to:** registration plates for garagekeepers and providing a
2 penalty.

Analysis by the Legislative Reference Bureau

Under current law, a dealer, distributor, manufacturer, or transporter (dealer) of vehicles may register with the Department of Transportation (DOT) and obtain dealer registration plates. Under certain circumstances, the dealer may display these dealer plates on an unregistered vehicle and legally operate the vehicle on the highway.

This bill allows a garagekeeper to register with DOT and obtain garagekeeper registration plates. A "garagekeeper" is defined as a person engaged in the business of repairing, servicing, or testing motor vehicles. A garagekeeper may display garagekeeper plates on an unregistered motor vehicle and legally operate the vehicle on the highway if the vehicle is held by the garagekeeper at its repair facility for purposes of repair, service, or testing and the vehicle is being operated on the highway for purposes of repair, service, or testing. Garagekeeper plates are transferable from one motor vehicle to another. A person who misuses garagekeeper plates may be required to forfeit not more than \$200.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 341.58 of the statutes is created to read:

2 **341.58 Registration of garagekeepers. (1)** In this section:

3 (a) "Garagekeeper" means any person engaged in the business of repairing,
4 servicing, or testing motor vehicles.

5 (b) "Repair facility" means any business location of a garagekeeper where the
6 garagekeeper repairs, services, or tests motor vehicles.

7 **(2)** (a) A garagekeeper may register with the department under this section,
8 on application forms prescribed by the department. The department shall charge a
9 fee of \$75 for each registration under this section.

10 (b) If a garagekeeper maintains more than one repair facility, a registration
11 under this section applies to all repair facilities within the same municipality, but
12 separate registration is required for repair facilities in different municipalities.

13 **(3)** (a) Upon registering a garagekeeper under this section, the department
14 shall issue to the garagekeeper 2 registration plates containing a distinctive
15 registration number assigned to the garagekeeper. The department may issue
16 additional plates to the garagekeeper for a fee of \$5 for each additional plate. The
17 department may charge a fee of \$2 per plate for replacing lost, damaged, or illegible
18 plates issued under this paragraph. Registration plates issued under this paragraph
19 are issued for the calendar year and are valid only during the calendar year for which
20 issued but may be renewed annually. Notwithstanding s. 341.13 (3), the department
21 may renew registration plates issued under this paragraph without issuing new
22 plates or insert tags, decals, or other evidence of registration.

23 (b) Registration plates issued under par. (a) are subject to the provisions of s.
24 341.12 (2) and (3) (a) and (b) except that the registration number is assigned to the
25 garagekeeper. In addition, each plate may have displayed upon it a decal or sticker

1 displaying letters that is approved by the department and that is capable of
2 distinguishing the plate from any other plate that may be issued to the same
3 garagekeeper. If such a decal or sticker is displayed on a plate, the decal or sticker
4 shall be affixed on the right side of the plate directly to the right of, and in line with,
5 the numbers or letters or both composing the registration number assigned to the
6 garagekeeper.

7 (c) Registration plates issued under par. (a) are transferable from one motor
8 vehicle to another.

9 (4) Any motor vehicle held by a garagekeeper at its repair facility for purposes
10 of repair, service, or testing may be operated on the highway without being registered
11 if the motor vehicle has displayed upon it a valid registration plate issued under sub.
12 (3) and the motor vehicle is being operated for purposes of repair, service, or testing.

13 (5) (a) Any of the following may be required to forfeit not more than \$200:

14 1. Any person who makes a materially false statement in an application for
15 registration under sub. (2).

16 2. Any person who operates a motor vehicle on a highway displaying a
17 registration plate issued under sub. (3) (a) if the motor ^{or vehicle} vehicle is not being operated
18 for purposes of repair, service, or testing.

19 3. Any person other than the registered garagekeeper or its employee or agent
20 who operates a motor vehicle on a highway displaying a registration plate issued
21 under sub. (3) (a).

22 4. Any garagekeeper that consents to use of a plate issued under sub. (3) (a) in
23 a manner that is not authorized by this section.

1 (b) Upon conviction of a garagekeeper for a violation of par. (a), the department
2 may revoke or suspend the garagekeeper's registration and require surrender of the
3 garagekeeper's registration plates.

4 **SECTION 2. Effective date.**

5 (1) This act takes effect on the first day of the 7th month beginning after
6 publication.

7 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-146171
ARG:sac:rs

2013 BILL in 3/11

wanted
by 3/12

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

3/11 H/C w/Car. - wants /, no changes

No changes

Regen

- 1 AN ACT *to create* 341.58 of the statutes; **relating to:** registration plates for
2 garagekeepers and providing a penalty.

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Under current law, a dealer, distributor, manufacturer, or transporter (dealer) of vehicles may register with the Department of Transportation (DOT) and obtain dealer registration plates. Under certain circumstances, the dealer may display these dealer plates on an unregistered vehicle and legally operate the vehicle on the highway.

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9 fee of \$75 for each registration under this section.

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23 a manner that is not authorized by this section.

(b) Upon conviction of a garagekeeper for a violation of par. (a), the department may revoke or suspend the garagekeeper's registration and require surrender of the garagekeeper's registration plates.

SECTION 2. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)

Gary, Aaron

From: Youngman, Lori
Sent: Tuesday, March 19, 2013 9:22 AM
To: Gary, Aaron
Subject: FW: Co-sponsor LRB 1461 re: Special registration plates for motor vehicles held by garages and repair shops, deadline 3-22

Aaron,

I received the email below from DOT regarding the garagekeeper legislation. Rep. Bewley would like to drafted the proposal recommended by DOT that would not require a registration plate.

Please call if you have any questions or need more information.

Thank you.

*Lori Youngman
Office of Rep. Janet Bewley
PO Box 8952
Madison, WI 53708
1-888-534-0074*

From: Krieser, Steven - DOT [mailto:Steven.Krieser@dot.wi.gov]
Sent: Monday, March 18, 2013 1:34 PM
To: Youngman, Lori
Cc: Hoey, Joseph
Subject: FW: Co-sponsor LRB 1461 re: Special registration plates for motor vehicles held by garages and repair shops, deadline 3-22

Hello Lori,

Today, I spoke briefly with Joe Hoey in your office regarding this legislation. We think we have a solution to this problem that will not require garages to obtain special registration plates for the kind of operation described in the cosponsorship memo. This solution will also likely result in a much smaller fiscal note than we would issue for the bill as drafted, increasing its likelihood of success in the legislative process.

We suggest simply creating an exemption from registration for repair-related operation by a garagekeeper or repair shop. Below, you will see examples of businesses that already enjoy a registration exemption for certain limited instances of vehicle operation. You will also see suggested language for an additional exemption of this type. I would be willing to work with your office to ensure that the bill meets your constituent's needs with the lowest cost and impact.

Please let me know if you have any questions, or if I can be of assistance.



Steve Krieser

Executive Assistant | Office of the Secretary | Wisconsin Department of Transportation
Phone: 608-266-1114

Check Out Our DMV Self-Service Options on the Web!
<http://www.dot.wisconsin.gov/drivers/online.htm>

An alternative suggested by the DMV is simply adding an exemption to registration under S. 341.05. We could even use the definitions for "garage keeper" and "repair facility" from the draft proposal.

341.05 When vehicles exempt from registration. A

vehicle, even though operated upon a highway of this state, is exempt from registration if any of the following applies:

341.05 Examples:

(1) The vehicle is operated in accordance with the provisions relating to registration of dealers, distributors, manufacturers, transporters or finance companies.

(15) The vehicle is a motor vehicle being towed, except that when the person operating the vehicle supplying the motive power is a transporter, that person must be registered as a transporter.

(19) The vehicle is a repaired salvage vehicle operated to or from a location where it is to be inspected as required by s. 342.07, or is an unregistered vehicle operated to or from a location where it is to be inspected as required by s. 110.20.

Proposed:

The vehicle is a motor vehicle held by a garagekeeper at its repair facility for purposes of repair, service, or testing. The vehicle can only be used to operate to and from the repair facility for the purposes of repair or service, or for testing purposes prior to, and after, repair or service work.

Defintions:

"Garagekeeper" means any person engaged in the business of repairing, servicing, or testing motor vehicles.

"Repair facility" means any business location of a garagekeeper where the garagekeeper repairs, services, or tests motor vehicles.

From: Rep.Bewley

Sent: Tuesday, March 12, 2013 9:04 AM

To: *Legislative All Senate; *Legislative All Assembly

Subject: Co-sponsor LRB 1461 re: Special registration plates for motor vehicles held by garages and repair shops, deadline 3-22

DATE: March 12, 2013

TO: All Legislators

FROM: Rep. Janet Bewley

RE: LRB 1461 Special registration plates for motor vehicles held by garages and repair shops

Colleagues:

Earlier this year, I was contacted by a constituent who operates a vehicle repair shop. Often times as part of his business a vehicle will need a test drive. On several occasions he has had a vehicle that either had an expired plate or there was no license plate, making it illegal to drive the vehicle.

I am introducing legislation to create a garagekeeper license plate. This legislation is modeled after dealer, transporter and financial institution registration plates. It will allow a garagekeeper to register with the DOT and obtain plates to display on an unregistered vehicle and legally operate the vehicle for purposes of repair, service and testing.

An analysis of the legislation by the LRB is posted below and the bill is attached. **If you would like to co-sponsor this bill please contact Representative Bewley's office at 266-7690 by Friday, March 22nd.**

Analysis by the Legislative Reference Bureau

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State of Wisconsin
2013 - 2014 LEGISLATURE

Soon



LRB-1461/2
ARG:sac:me

in
3/21

RMR

2013 BILL

insert 1-2

gen ext

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BILL

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BILL

1 (b) Upon conviction of a garagekeeper for a violation of par. (a), the department
2 may revoke or suspend the garagekeeper's registration and require surrender of the
3 garagekeeper's registration plates.

SECTION 2. Effective date.

4
5 (1) This act takes effect on the first day of the 7th month beginning after
6 publication.

7 (END)

Insert
4-6

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1461/2ins
ARG:.....

INSERT 1-2:

creating a vehicle registration exemption for motor vehicles held by
garagekeepers that are operated for purposes of repair, service, or testing

INSERT ANAL:

Under current law, certain vehicles operated on the highway are not required to be registered with the Department of Transportation. These vehicles include vehicles owned by the federal government, certain vehicles used for agricultural purposes, road machinery, vehicles while being towed, and certain vehicles operated to or from a vehicle inspection site.

This bill creates a vehicle registration exemption for a motor vehicle held by a garagekeeper that is traveling to or from the garagekeeper's repair facility while being operated for purposes of repair, service, or testing.

INSERT 2-3:

SECTION 1. 341.01 (2) (a) of the statutes is renumbered 341.01 (2) (am).

SECTION 2. 341.01 (2) (ag) and (c) of the statutes are created to read:

341.01 (2) (ag)

INSERT 2-6:

SECTION 3. 341.05 (29) of the statutes is created to read:

5
① 341.0⁵ (29) The vehicle is a motor vehicle held by a garagekeeper at its repair
2 facility for purposes of repair, service, or testing and the vehicle is traveling to or from
3 the repair facility while being operated for purposes of repair, service, or testing.
4

5 **INSERT 4-6:**

6 **SECTION 4. Initial applicability.**

7 (1) This act first applies to vehicles operated on the effective date of this
8 subsection.
9

Rose, Stefanie

From: Rep.Bewley
Sent: Tuesday, April 09, 2013 10:11 AM
To: LRB.Legal
Subject: Draft Review: LRB -1461/2 Topic: Special registration plates for motor vehicles held by garages and repair shops

Please Jacket LRB -1461/2 for the ASSEMBLY.